

The NTV Project Group's Emerging Proposals for the National Tenant Voice Consultation Paper July 2008

About this Consultation Paper

The initial ideas and proposals set out in this consultation paper are those developed by the Project Group working on the new National Tenant Voice (see list of members at the end). They will be amended as a result of the consultation before being presented to Ministers in the Autumn.

Replies are being collected by CLG on behalf of the Project Group and will then be analysed independently.

Responses on any part of the Consultation Paper should be sent by September 12th 2008 to:

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Introduction

The Government is taking a real lead in putting tenants at the heart of decision-making about their homes and neighbourhoods. In some places tenants already play a vital role in shaping how their housing and community services are provided and the Government's proposal to establish a National Tenant Voice, along with other proposals, seek to ensure that tenants have the strongest possible influence over the development of policy and the management of services nationally, regionally and locally.

Background

Martin Cave's review of social housing regulation '*Every Tenant Matters*' recommended that the Government should establish and fund a National Tenant Voice (NTV), to give tenants both a voice and expertise at national level. Communities and Local Government (CLG) Ministers accepted this recommendation. They wish to see tenants having an effective voice, working alongside the new housing regulator (the Tenant Services Authority) and the new Homes and Communities Agency.

An initial consultation, carried out as part of the wider Tenant Empowerment consultation in 2007, found support for the general idea of the NTV and for its proposed roles around advocacy, research, and supporting the representative tenants movement. Many of the respondents stressed the need for the organisation to be under the governance of tenants, and that it should have regional as well as national representation.

In February 2008 CLG established a Project Group (PG) to help develop the NTV proposal. Independently chaired by Steve Hilditch, the PG's job is to advise Ministers on the detailed remit, location and governance arrangements for the NTV. The PG has a majority of tenants in its membership, from national and regional organisations, who have been working together with other national stakeholders in social housing (see Appendix for full list of members). CLG Officials service and advise the PG but do not have a vote in its decisions.

The PG has been working hard over the past few months to develop recommendations to go to Ministers. Its emerging proposals are the subject of this consultation paper. The PG will take full account of the results of this consultation before it finalises its proposals to put to Ministers for approval in the Autumn. Ministers have been kept informed of the emerging proposals and are keen to hear the results of the consultation.

The rest of this consultation paper sets out the issues that the PG has addressed and its initial views of the vision, values, roles, and governance of the NTV.

Vision and Values

The PG recommends that the NTV should adopt a Vision and Values Statement on the basis of the following draft:

Proposed National Tenant Voice Vision and Values Statement DRAFT for consultation

The National Tenant Voice is a professional organisation for tenants. Accountable to and rooted in the tenant movement, the National Tenant Voice will be inspirational and dynamic, basing its approaches on the views of tenants and on research and information. It will develop a partnership approach with Government and other bodies to strive for high quality tenant services and for tenants to be involved to the level of their choosing in their landlord's decision-making. Celebrating the diversity of tenants and communities, the National Tenant Voice believes that tenants are first class citizens, and that renting a home should be a tenure of choice.

Values

The National Tenant Voice will deliver the aim of the 2006 Local Government White Paper "Strong and Prosperous Communities" (insofar as it relates to social housing policy and provision) to ensure that citizens and communities are effectively empowered to influence public policies and services, and notably that "*people should be empowered and supported to control their lives, trusted to be consulted and, where they want to be, involved in running services.*"

The NTV has a clear set of values. It should be:

- An organisation **that makes the case for change** - developing ideas and proposals on all issues affecting tenants, based on sound research and information.
- An **open transparent and communicative** organisation with clear mechanisms for sharing information with, offering expertise to, and gathering the views of, tenants.
- An **accountable** organisation, rooted in the tenants' movement, with close working links with representative tenants' organisations.
- A **professional** organisation with high quality skills and a sound business and delivery plan developed in wide consultation with tenants, with clear practical and achievable objectives set each year.

- A **partnership** organisation that complements, supports and promotes the representative tenants' movement and has clear working protocols with national organisations such with as CLG, Tenant Services Authority, the Audit Commission, the Ombudsman Services, the Homes and Communities Agency, TPAS.
- An **inclusive** and 'domain wide' organisation raising issues that affect all recipients of services from social housing providers, including leaseholders, temporary housing tenants and tolerated trespassers.
- An organisation that celebrates the diversity of tenants and communities which **has a core belief that tenants are citizens of equal worth** who should not face discrimination, social exclusion, prejudice or stigmatisation because of their tenure.

The roles and remit of the NTV

The NTV aims to increase the opportunities for social tenants to have a strong collective influence over the policies that affect them, the attitudes and practices of the social landlords that manage their homes, and the services they receive in return for rent. This will improve the well-being of communities and the quality of provision. The NTV will develop the tools and mechanisms available to enable tenants to influence decisions at, local, regional and national levels.

The NTV's mode of operation will be '*collective advocacy*' - enabling or facilitating social tenants to speak for themselves as a distinct group in society, about whom a lot is said but from whom little is heard. It will develop policies based on evidence assembled through high quality research, intelligence gathering, and extensive consultation. It will not advocate on behalf of individual tenants, who have other ways of raising complaints or grievances such as landlord complaint systems and the Ombudsman Services.

The NTV will work closely and effectively with the current structure of tenant organisations at national and regional level. The relationship will be dynamic and will change significantly over time as the organisations strengthen.

It will ensure that the views of tenants who are not in organisations are also heard, for example through opinion research.

The NTV will help build and strengthen tenant organisations, particularly at a national and regional level. Its business plan each year will contain a clear set of activities designed to strengthen and develop existing organisations and to fill gaps. This might include development and/or core funding for specific organisations or newly forming groups. Activities would be developed to avoid duplication with the services already provided by tenant organisations and the tenant participation movement – building on, not over, what already exists.

The NTV's remit will be wide: it will be interested in and apply its expertise to any issue likely to have impact on social tenants as a group. It will be a formal consultee on new policy developments proposed by Government. It will have the ability to work at a detailed and technical level with Government Ministers and Officials or in engagement with HCA or Tenant Services Authority and the Audit Commission. However it will always be sitting side by side with the NTOs and enabling them to make their own case through high quality support.

The NTV will influence the standards and procedures set by the Tenant Services Authority. Where resources permit it will be able to take legal advice or to support legal action by tenants. Through such involvement, the NTV will help set precedents, which enable other tenants to challenge landlords with poor practice. It might provide a resource to support tenants locally where they have complaints against the policies and practices of specific landlords which affect tenants as a group rather than individually.

The NTV will need to be an effective communicator. It will develop mechanisms to communicate information to tenants, as well as communicate tenants' views to others, using representative structure whenever possible. It will inevitably have a media role, but it will always aim to ensure the visibility of representative tenant speakers.

NTV's research and influencing programme will be agreed after wide consultation with tenants generally. It should have a wide brief to research and develop intelligence on tenant related issues and to evaluate the impact of policies and practice on consumers of social housing.

The NTV will seek to be an inclusive organisation that will work to the widest practical definition of 'social tenant'. Social housing is becoming much more mixed than previously, and the PG believes strongly that the NTV should work on behalf of anyone receiving services from a social landlord, including the growing number of leaseholders, shared equity tenants, temporary housing tenants. It will include tenants from housing co-operatives, tenant management organisations, and arms length management organisations.

Organisation and governance

An independent organisation with partnership status

Having reviewed a wide range of options, the PG is recommending that the NTV should be an independent stand-alone organisation rather than operating as part of an existing organisation. This has the disadvantage of making start-up more complex, lengthy and costly. However, the PG has concluded that a new organisation with a structure which is clearly accountable to tenants will carry most credibility with tenants, be better able to speak independently of and influence Government and housing providers, be more focussed on promoting direct tenant self-advocacy, and be more strongly linked to the developing national and regional tenants' movement.

The PG believes that the National Tenant Voice represents a genuinely new approach to the social housing sector. It has the potential to be a new, vibrant and inspirational initiative that challenges the traditional paternalism of social housing. Tenant leadership of the NTV will set its tone – tenants doing things for themselves, at the heart of Government and the housing debate, inspiring tenants nationally with a vision of hope and cultural change.

The PG has considered detailed arrangements for the governance of the NTV.

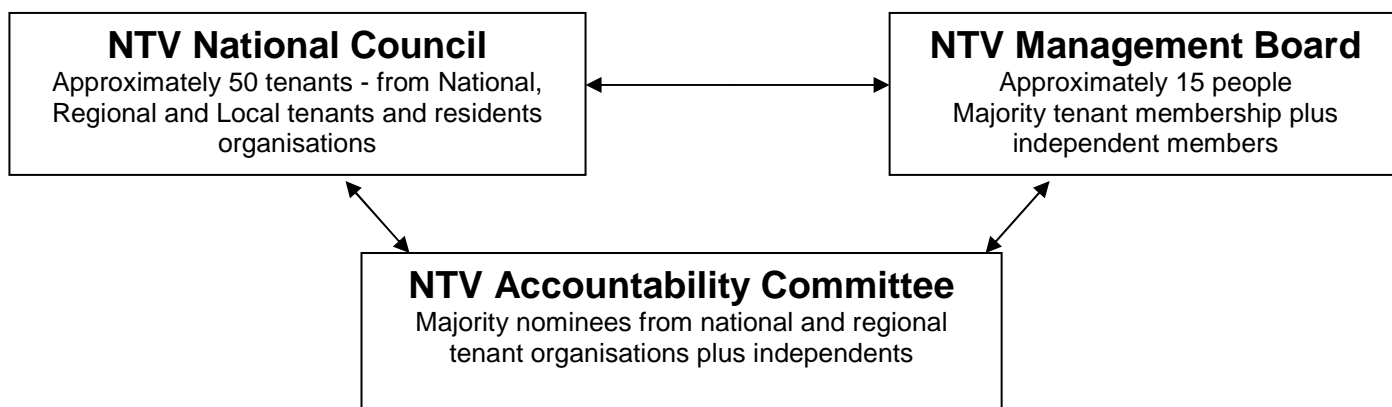
Any organisation sponsored and funded by Government is likely to be defined as a 'Non-Departmental Public Body' (NDPB). There are a wide range of NDPBs, and many are organisations with a lot of independence from government. For example, the Housing Ombudsman Service is a NDPB. Being a NDPB means the Secretary of State has to approve its setting up, and is accountable to Parliament for its independence, its effectiveness and its efficiency. This will mean the Secretary of State will have specified rights to intervene if, for example, there are failures in governance or financial management. But being a NDPB will give the organisation greater status as a partnership organisation with Government and greater security in funding – as an NDPB it will not carry the same risk as a grant recipient and will not be subject to procurement rules which might require grant competition with other possible service providers.

CLG are currently examining whether legislation is required to enable it to fund the NTV and give it the powers it needs.

Governance

The PG is recommending that the NTV's governance structure should comprise a policy-making National Council made up of tenants, a Management Board with a majority of tenants together with a number of independent members bringing specific expertise, and an Accountability Committee to ensure that the governance of the organisation is managed appropriately.

National Tenant Voice Possible Governance Structure



The NTV National Council will:

- be the legal shareholding membership of the NTV,
- have the remit to discuss, shape and advise on all policy issues affecting tenants at a national level;
- meet probably quarterly with working groups and policy fora in between, aiming to encourage, support and develop all its members to play an active part in NTV policy formation;
- have a large membership (of around 50 tenants to enable balanced representation) with nominees from the national and regional tenant organisations, local organisations where no regional body exists, and the tenant membership of TPAS.

The NTV Management Board will:

- be the directors of the NTV, its executive arm, with legal responsibility for the NTV, ensuring that it is effective and business like;
- support the policy-making function of the NTV National Council, present reports and recommendations on policy issues, being guided by the National Council's policy decisions;
- following consultation with the National Council, prepare a business plan and an annual strategic plan for the NTV;
- consist of around 15 members, with a majority of tenants chosen according to an agreed set of criteria for the skills, knowledge and experience, plus independent members to bring particular skills to the Board, or to strengthen its overall credibility.
- elect a tenant Chair of the Board, who will also serve as chair of the National Council;
- operate in accordance with a statement of practice that will include appropriate guidelines covering directorial responsibilities, accountability, training, development and assessment of Board members;

The NTV Accountability Committee will:

- select those members of the NTV National Council where there is no obvious nominating body;

- ensure that the National Council is an effective representative body with a broadly equal number of housing association and council housing tenants, the best possible geographical representation, the best possible representation in terms of gender, ethnicity and age, and a balance of tenant types – for example leaseholders and sheltered housing tenants;
- select the tenant Board members from amongst those National Council members interested in standing according to set criteria;
- scrutinise the accountability of all parts of the NTV, the effectiveness of its Board membership, and establish a clear policy to manage any conflicts of interest that arise;
- comprise a majority of nominees from the national and regional organisations plus nominees from CLG.
- be open to nomination of anyone who sponsoring organisations believe will be appropriate to the functions of the NTV Accountability Committee, whether they are tenants or not;
- to create a separation of powers, not be open to members of the NTV Council or the Management Board.

The role of the Accountability Committee will change over time as national, regional and local tenant membership structures improve and strengthen and build the democratic tenant representative base.

Remuneration

No members of the NTV National Council, the NTV Management Board or the NTV Accountability Committee will receive any remuneration for their roles in the NTV. An expenses policy will be developed that will enable payment of appropriate expenses for involvement in NTV activities.

Finances and staffing structure

Following this consultation on the basic structure of the NTV, the PG will look in detail at options for staffing the NTV, and the costs of these. An overall budget of £1.5m per annum has been allocated by CLG for the NTV over the current spending review period (until April 2011).

Location and service provision

The PG has had initial discussions about the location of the NTV and the ways in which it should provide its services. Although there is a clear recommendation that the NTV should be a new stand-alone organisation, there may be advantages in being co-located with and/or buying services from other agencies. Given that there is an existing network of organisations providing services to tenants, the NTV should seek to commission services and support from the existing infrastructure where possible.

The Management Board will need to make arrangements for the following functions, some of which will be best carried out in partnership with others:

- servicing the NTV Council & Management Board
- financial management, office management and administration
- human resources and staff management
- public and domain relations
- ongoing consultation
- research and other commissioning
- legal advice and representation
- the relationship with Government, Government agencies and other stakeholders
- support to tenant representative bodies

The PG feels that these arrangements need considerable evaluation and are best left to NTV to decide at a later stage.

Next steps

Relationships with other organisations

The NTV PG has started discussions with Tenant Services Authority, the Homes and Communities Agency, the Audit Commission, and the Ombudsman Services about the NTV's relationship with them.

Engagement with Government and other agencies will normally include tenant representatives rather than just NTV staff.

Interim arrangements and timetable

It is proposed that the NTV should be fully functional with its governance structure, any necessary statutory powers, key staff and budgets in place by Summer 2009.

The Project Group will continue to meet to drive the project forward. It will seek to establish a Shadow Board by January 2009. This interim arrangement will be a tenant-majority Board, with CLG, Tenant Services Authority, Homes and Communities Agency, Chartered Institute of Housing, National Housing Federation, Audit Commission and Local Government Association each nominating a non-tenant member.

And Finally – the Name

Queries have been raised as to whether the name 'National Tenant Voice' is right for the proposed organisation and, in particular, whether it causes confusion with the representative role of the existing National and Regional Tenants' Organisations. The Project Group is keen to find out what people think and to seek alternative suggestions for names.

Questions:

1. Do you support the **vision and values** for the National Tenant Voice set out on Page 2 of this document?
2. Do you support the **role and remit** of the National Tenant Voice as set out on Page 2 and 3?
3. Do you support the view that the National Tenant Voice should be a new independent organisation and a **Non Departmental Public Body** as proposed on Page 4 of this document, rather than be part of an existing organisation?
4. Do you support having a **National Council and a Management Board** as proposed on Pages 4 and 5?
5. Is National Tenant Voice **the right name** for this new organisation? If not can you suggest an alternative?

Appendix

Membership of the Project Group

The NTV Project Group consists of representatives from the following organisations:

- Michael Gelling - Tenant and Resident Organisations of England (TAROE)
- Cora Carter - Tenant and Resident Organisations of England (TAROE)
- Brian Pordage - Tenant and Resident Organisations of England (TAROE)
- Terry Edis - National Federation of Tenant Management Organisations
- Roy Read - National Federation of Tenant Management Organisations
- Nic Bliss - Confederation of Co-operative Housing
- Christine Winstanley - Confederation of Co-operative Housing
- John Conroy - Dorset County Tenants Federation
- Allan Harley – North East Council of Tenants and Residents (NECTAR)
- Phil Morgan - Tenant Participation Advisory Service (TPAS)
- Richard Sorensen - Housing Corporation
- Wendy Walsh - National Community Forum
- Roger Jarman - The Audit Commission
- Richard Capie - Chartered Institute of Housing
- Ruth Lucas - Local Government Association
- Helen Williams - National Housing Federation
- Anne Kirkham - Communities and Local Government Department (non-voting)
- Richard Crossley - Communities and Local Government Department (non-voting)
- Lesley Storer - Communities and Local Government Department (non-voting)
- Steve Hilditch – independent chair (non-voting)